IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 3211 OF 2007

Shri Jasbir Singh @ Jassa
S/o Santokh Singh. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ganesh Bhujbal i/b. M.K.Kocharekar
for the applicant.

S.S.Pednekar, A.P.P. for the State.

CORAM: V.C.DAGA, J.

DATED: 1st November 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The order passed by the Sessions Court dated 14th September, 2007 in Criminal Misc. Application No.901/2007 can hardly be said to be a judicial order. From the said order it is difficult to read the mind of the learned Sessions Judge while refusing to grant anticipatory bail to the applicant. The learned Sessions Judge ought to have recorded reasons in support of his order. It is a cryptic and perfunctory order passed in a casual manner and is clearly in breach of principles of natural justice. While

rejecting the application for anticipatory bail the Court below ought to have realised that it is dealing with the liberty of the citizen. The impugned order is, therefore, void *ab initio* and liable to be set aside.

3. In the aforesaid view of the matter, by consent of parties, the impugned order is set aside without examining merits or demerits of it. Criminal Misc. Application No.901/2007 is restored to the file of the Sessions Court with direction to hear and decide the same with expeditious despatch, at any rate, within one week from the date of receipt of copy of this order.

4. It would be open for the applicant to apply for interim relief, if advised, before the learned Sessions Judge. Learned counsel for the applicant undertakes to produce the copy of this order before the learned Sessions Judge within one week from today. Till then interim protection granted by this Court to continue for a period of one week.

5. Application is disposed of accordingly.

JUDGE